

UNITED STATES DISTRICT COURT
For the
Southern District of New York

EDWIN DIAZ, on behalf of himself and all
others similarly situated,

Plaintiff

v.

LIBERTY CRUISES, LLC,

Defendants

Docket No.: 1:18-cv-07819-VSB

STIPULATION

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned counsel for the parties hereto, that:

WHEREAS, Plaintiff Edwin Diaz, on behalf of himself and all others similarly situated ("Plaintiff"), having commenced the instant action to recover damages allegedly due on account of Americans with Disabilities Act violations.

WHEREAS Defendant LIBERTY CRUISES, LLC ("Defendant") is the named Defendant but is an improper party to this action; and


WHEREAS, a complaint dated August 27, 2018 having been filed as against Defendant LIBERTY CRUISES, LLC; and

NOW THEREFORE it is hereby stipulated by and between counsel for Plaintiff and as follows:

1. The caption for the present action dated August 27, 2018 and filed against Defendant LIBERTY CRUISES, LLC is hereby amended to remove Defendant LIBERTY CRUISES, LLC as a party to this action.
2. The caption for the present action dated August 27, 2018 and filed against Defendant LIBERTY CRUISES, LLC is hereby amended to replace Defendant LIBERTY CRUISES, LLC with the proper party against whom Plaintiff originally sought to bring this action, namely, NEW YORK WATER TOURS INC d/b/a LIBERTY CRUISE NYC.
3. The present action against Defendant LIBERTY CRUISES, LLC is dismissed in its entirety, without prejudice.
4. A facsimile copy of this stipulation shall have the same force and effect as an original signature. This stipulation may be executed in counterparts.

Dated: Brooklyn, New York
October 9, 2018

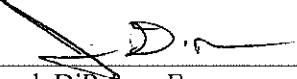
COHEN & MIZRAHI LLP

By: 

Joseph H. Mizrahi, Esq.
300 Cadman Plaza West, 12th Floor
Brooklyn, NY 11201
929-575-4175

*Attorneys for Plaintiff Edwin Diaz on behalf
of himself and all others similarly situated*

JACKSON LEWIS P.C.

By: 

Joseph DiPalma, Esq..
44 South Broadway, 14th Floor
White Plains, NY 10601
914-872-6290

*Attorneys for Defendant LIBERTY CRUISES,
LLC*

SO ORDERED:

HON.